

MESSAGE FROM THE BOARD'S COMPLAINTS COMMITTEE

Having a complaint filed against you can be emotionally and professionally devastating. Below are suggestions from the Complaints Committee to help you avoid disciplinary action.

Records:

- Be accurate and neat with all client records. This includes data regarding billing and refunds.
- Complete records as you finish with each client, or plan time each day to update your paperwork.
- Be sure that the date and time of service indicated on the record are accurate.
- Carefully maintain your Continuing Education Log for at least three renewal periods, because you will need to submit a copy if you are selected for an audit. Make sure the hours you earn are Board approved. (Approved sponsors are listed on the Board's web page.)

Renewals:

- Know your renewal dates and plan ahead. Remember that the state office has thousands of licensees, so renewals may take time to process.
- Never falsify any form mailed to the Board office. Verify your answers before responding. For example, never respond "yes" on the Renewal Form if you cannot document that you received the required CE units from an approved CE sponsor.
- Anyone can be randomly selected for a C.E. audit. Keep your hours up-to-date and accurate. Maintain your CE log for at least the last three renewal periods. Be sure to keep proof of attendance from the Board approved sponsor.
- If the Renewal Form indicates you have been selected for the continuing education audit, submit the CE log with supporting proof of attendance forms for the past three renewal periods
- Make sure you understand the continuing education requirements. Reread Board Rules, §741.161 and §741.162 and the information relating to continuing education that is mailed with each Renewal Form.
- Remember the "60-day grace period" is not intended for the purpose of getting paperwork filed or for earning continuing education hours. Submit your paperwork *prior* to the expiration of your license. Then, use the grace period to resolve any concerns identified by the Board office, correct errors on the Renewal Form or CE log (if required), or resubmit the Renewal Form, fee and

any documentation in the event the original renewal was never received by the Board office.

- **No one may practice after expiration of the 60-day grace period.** If you have not received notification that the license has been renewed by the end of the grace period, cease practicing immediately, and contact the Board office. If you practice after the expiration date of the grace period, you are practicing without a license and disciplinary action shall be initiated. There are no exceptions.

Interns:

- Know what your responsibilities are as an intern. Follow Board Rules, §741.41(i)-(j) and §741.62 or §741.82. Never practice without a license or an approved supervisor.
- The Board will mail notification that the license has been issued and a licensed supervisor has been approved to supervise your practice.
- Remember, once the internship has been completed, you must apply for either full licensure or the temporary certificate of registration. Until either the license or registration is issued, you must continue to practice as an intern under supervision of the approved supervisor as long as the intern license remains valid. Know the expiration date of the license. The intern's license is issued for one year; if the full license or registration is not received before the 60-day grace period ends, you must cease practicing. In some instances, the intern license must be renewed. If this is the case, 10 CE's are required in addition to other forms and a fee.

Assistants:

- Know your responsibilities and job limitations as an assistant. Follow Board Rules, §741.41(i)-(k) and §741.65 or §741.85. Always follow the directions of your approved supervisor. Never practice without a license or an approved supervisor. The Board will mail notification that the license has been issued and a licensed supervisor has been approved to supervise your practice.
- Assistants who have not acquired the 25 hours of clinical observation and 25 hours of clinical assisting experience do not qualify for the assistant license. However, applicants may acquire these hours by following Board Rules, §741.65(e). The requirements must be followed exactly or the license shall be surrendered.

Supervisors:

- Supervisors must be attuned to their supervisory responsibilities and be conscientious in record-keeping as it relates to the intern and assistant. Supervisors must be aware of the professional duties that may be assigned to assistants and interns. Be sure you have been approved to supervise; the Board office will mail a letter informing you of the approval. Review the Board Rules and the Board's Position Statement for Supervising Licensed Interns in Speech-Language Pathology and Position Statement for Supervising Licensed Assistants in Speech-Language Pathology.

Public Relations:

- Remember you are a professional serving the citizens of the state of Texas.
- Be sure clients/patients understand all aspects of hearing aid contracts, including the 30-day refund policy for return of the hearing aid. Give the client/patient an exact date upon which the hearing aid must be returned to obtain the refund.
- Use good judgment when dealing with angry people. Returning anger for anger never helps a situation.

DISCIPLINARY ACTIONS

THE BOARD ISSUED THE FOLLOWING ORDERS:

The Board imposed a two-month suspension of the speech-language pathology license issued to Elizabeth Walker for failure to maintain accurate records and for failure to honor her professional responsibility to clients.

The Board imposed a one-year suspension, fully probated, of the audiology license and fitting/dispensing registration issued to Heather Guier for practicing with an invalid license and registration. In addition, Ms. Guier is required to earn an extra 20 hours of approved continuing education hours.

The Board imposed a two-year suspension, fully probated, of the speech-language pathology license issued to Beverly Graff for failure to maintain accurate records.

AT ITS MEETING ON JUNE 15, 2001, THE BOARD:

Issued three reprimands and accepted the conditions of the Letters of Agreement to earn 20 additional continuing education hours for failure to earn the required continuing education hours necessary for renewal or failure to maintain proof of having earned the hours. The licensees had stated "yes" on the Renewal Form that the hours were earned and proof of attendance received but were unable to provide the proof when selected for audit.

Issued four reprimands for practicing beyond the grace period.

Issued one reprimand and accepted the conditions of the Letter of Agreement to earn 20 additional continuing education hours for practicing beyond the grace period; second violation.

Issued two reprimands to a speech-language pathologist and assistant in speech-language pathology because the assistant attended ARD's without the supervisor being present at the direction of the supervisor.

AT ITS MEETING ON NOVEMBER 2, 2001, THE BOARD:

Issued 5 reprimands and accepted the conditions of the Letters of Agreement to earn 20 additional continuing education hours for failure to earn the required continuing education hours necessary for renewal or failure to maintain proof of having earned the hours. The licensees had stated "yes" on the Renewal Form that the hours were earned and proof of attendance received but were unable to provide the proof when selected for audit.

Issued four reprimands and accepted the conditions of the Letters of Agreement to earn 20 additional continuing education hours for practicing beyond the grace period.

Issued three reprimands for failure to either provide supervision or failure to be supervised according to Board Rules.

AT ITS MEETING ON MARCH 22, 2002, THE BOARD:

Issued one reprimand and accepted the conditions of the Letter of Agreement to earn 20 additional continuing education hours for failure to earn the required continuing education hours necessary for renewal or failure to maintain proof of having earned the hours. The licensee had stated "yes" on the Renewal Form that the hours were earned and proof of attendance received but were unable to provide the proof when selected for audit.

Issued three reprimands and accepted the conditions of the Letters of Agreement to earn 20 additional continuing education hours for practicing beyond the grace period.

Issued six reprimands for failure to either provide supervision or failure to be supervised according to Board Rules.

THE ROLE OF THE PUBLIC BOARD MEMBER

Every occupational licensure board has as its reason for being: “**to protect the health, safety, and welfare of the public**”. Therefore, all board members have as their primary goal the public's interest. It is important that consumers have confidence that their interests are being protected and that those individuals possessing a license in speech-language pathology and/or audiology in the State of Texas will be qualified to practice properly, safely, and ethically. It is also important that consumers are provided a fair method of settling disputes that may arise with a licensed practitioner.

Recognizing that boards comprised exclusively of members of the regulated profession may not produce the best public policy, the state legislature provided for inclusion of public members. Just as practitioner members bring a particular perspective to board issues and policies so does the public member. A public member has the added responsibility of being especially sensitive to consumer welfare. Working

together for the common good, both professionals and consumer members of the board maintain a mutual understanding and respect for their varied roles and responsibilities. As a result, the citizens of Texas can be confident that the State Board of Examiners for Speech-Language Pathology and Audiology is working hard to protect their interests.

BOARD ADOPTS RULE CHANGE

On March 22, 2002 the Board adopted an amendment to §741.82 relating to Requirements for an Intern in Audiology License that provides for licensing of interns in audiology enrolled in a professionally recognized accredited doctor of audiology (AuD) program as approved by the Board. Applicants applying under this provision must meet all requirements for academic coursework, clinical experience, and comprehensive exam or thesis. This amendment became effective April 17, 2002.

SHOULD SPEECH-LANGUAGE PATHOLOGISTS ADMINISTER INTELLIGENCE TESTS?

One of the questions addressed in the Fall/Winter 2000 issue of the Board Newsletter was, "May a speech-language pathologist administer and interpret intelligence and achievement tests?". The question generated discussion and questions from SLP licensees in a variety of job settings. At its November meeting, the Board revisited the issue and decided to provide more information and clarification for licensees.

The testing manuals for a number of routinely administered screening intelligence tests, nonverbal intelligence tests and comprehensive intelligence tests were reviewed to determine the examiner qualifications for administering and interpreting the tests. The following test manuals were reviewed: *Slosson Intelligence Test-Revised, (SIT-R)*, *Kaufman Brief Intelligence Test (K-BIT)*, *Test of Nonverbal Intelligence (TONI-3)*, *Comprehensive Test of Nonverbal Intelligence (CTONI)*, *Leiter International Performance Scale-Revised*, *Kaufman Assessment Battery for Children (K-ABC)*, *Wechsler Intelligence Scale for Children –Third Edition, (WISC-III)*, and *Wechsler Adult Intelligence Scale (WAIS)*.

In general, the manual for screening tests included information that indicated that the tests could be administered by professionals and/or paraprofessionals with appropriate training and supervision. The information in each manual for nonverbal and comprehensive intelligence tests contained consistent and pervasive comments about the recommended qualifications of examiners and precautions that should exist when assessing intellectual abilities in children and adults. All examiners, regardless of their professional titles and assignments, should have had formal training and experience in psychological assessment that imparted a working knowledge of psychometrics, an understanding of general testing procedures, insight into the uses and abuses of norm-referenced tests and normative scores, and sound understanding of the specific assessment procedures associated with intelligence or aptitude testing.

Although a trained technician can administer the subtests and score the responses of the above tests under supervision, the test results should always be interpreted only by individuals with appropriate graduate or professional training in assessment.

Therefore, before administering **any** test, including intelligence tests, each licensee should first read the test manual and the qualifications required of the examiners. Since the Code of Ethics clearly prohibits one from engaging in an activity without proper training, it becomes the professional and ethical responsibility of each licensee to determine whether he or she should administer the test.

It should also be noted that work settings, such as school districts, often have local and/or state requirements and policies regarding SLP licensees administering intellectual tests. The Individuals With Disabilities Education Act (IDEA) requires that all Full Initial and Individual Evaluations and Full and Individual Evaluations be completed by a multidisciplinary team.

RELAY TEXAS OFFERS NEW FEATURES

To learn more about Relay Texas services, call the Relay Texas Customer Service (800-676-3777) or check the Board's web page.

ONLINE CONTINUING EDUCATION (CE)

Continuing education hours obtained via the Internet can be approved if an official, signed, CE verification is obtained from the Board approved CE sponsor. Verification forms printed directly from the Internet are not valid unless a signature is available. A list of approved CE sponsors can be found on the SBESLPA website.

FREQUENTLY ASKED QUESTIONS

Q: May an assistant SLP be assigned service coordination duties in an Early Childhood Intervention (ECI) program?

A: Yes, an assistant SLP may assist families in locating resources and completing paperwork, and perform other tasks that are typically assigned to service coordinators.

Q: In Early Childhood Intervention programs, a professional other than an SLP (e.g., OT, PT, educator) may perform a comprehensive assessment of an infant or toddler and identify developmental delays in communication skills. Does this mean that the infant or toddler automatically qualifies for speech-language therapy?

A: No. When other professionals evaluate an infant or toddler and provide an "informed clinical opinion", indicating the child shows a developmental delay or atypical development in the area of communication, this information may be used to determine a child's eligibility for the ECI program. However, only the licensed SLP is authorized to diagnose a speech-language disorder and determine if the child is a candidate for speech-language therapy.

**COMPLAINT
INFORMATION**

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WEBSITE-BOARD HOMEPAGE

www.tdh.state.tx.us/hcqs/plc/speech.htm

BOARD MAILING ADDRESSES

CORRESPONDENCE DOES NOT INCLUDE A FEE:

1100 West 49th Street

Austin, Texas 78756-3183

CORRESPONDENCE WHICH INCLUDES A FEE:

State Board of Examiners for Speech-Language
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Texas Department of Health
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Go to the Board Website for information regarding: Texas Occupations Code, Board Rules, Board Forms, CE Approved Sponsors in Texas, PRAXIS Information, Board Policies and Position Statements, FAQ, etc.

Editor

Board members and staff

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